



Convention on the Elimination
of All Forms of Discrimination
against Women

Distr.
GENERAL

CEDAW/C/SR.326
27 March 1998

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Sixteenth session

SUMMARY RECORD OF THE 326th MEETING

Held at Headquarters, New York
on Friday, 24 January 1998, at 3 p.m.

Chairperson: Ms. KHAN

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE
CONVENTION (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, Office of Conference and Support Services, room DC2-750, 2 United Nations Plaza.

Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.



The meeting was called to order at 3.10 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE
CONVENTION (continued)

Third periodic report of Denmark (continued) (CEDAW/C/DEN/3)

1. At the invitation of the Chairperson, Ms. Galamba (Denmark) took a place at the Committee table.
2. Ms. CARTWRIGHT said that the third periodic report of Denmark was a very useful report, because it dealt progressively with Denmark's compliance with the Convention and was not burdened with historical data.
3. In response to questions 15 to 25 of the report of the pre-session working group (CEDAW/C/1997/CRP.1/Add.2), the representative of Denmark had indicated that there had been a decrease in the number of cases of rape. She wished to know whether that reflected an actual decline, rather than a decrease in the number of cases reported. If so, more information was needed on changes in attitudes towards women and on how the justice system had contributed to such changes through its handling of rape allegations. She asked whether there had been an actual decline in cases of incest or whether, there again, there had simply been a decline in the number of cases reported. Incest was very much a hidden phenomenon in many countries; if the problem was being discussed openly in Denmark and offences were being prosecuted, leading to a reduction in the incidence of incest, that would be very significant and the ramifications would go beyond the health and physical integrity of the victims to include reduced costs and a reduced workload for the police and the courts.
4. In reply to question 66, the representative of Denmark had said that the burden of proof in sexual harassment cases was not very onerous for the plaintiff. If that was so, it would be easier for women to bring complaints, more information was needed.
5. Ms. SCHÖPP-SCHILLING said that the report of Denmark showed that concentrated, conscious efforts were being made to achieve de facto equality for women.
6. Many temporary special measures being taken in Denmark were not listed under article 4.1. It would be helpful to have a list of relevant laws and policies, and of the programmes being considered in various areas. Article 4.1 was one of the least understood articles of the Convention.
7. The equality advisers and committees were a temporary special measure which could be helpful in increasing the number of women working in the public sector provided that they were given the necessary power. She asked whether the action plans developed by the equality committees included numerical targets and timetables for their achievement, and whether temporary special measures, including numerical goals and targets, were being taken to combat women's unemployment. Moreover, since in the next century there was likely to be a decline in the public sector, efforts needed to be made to increase the number of women working in the private sector.

8. Ms. GONZÁLES-MARTÍNEZ said that many women from the developing world could be envious of the situation of Danish women, who had achieved full participation in national development. The replies from the representatives of Denmark showed that progress was ongoing and that there was the political will to go even further, especially in the participation of women in decision-making, as shown in the reply to question 40.

9. She asked whether the problem of the commercial sexual exploitation of children and young people was being raised in Denmark. The representative of Denmark had said, in response to question 28, that there were no statistics on prostitution; in response to question 31, that there was no specific criminal provision about traffic in women; and in response to question 32, that there had been reports in the Danish media about sex tourism. The Danish Government should take a comprehensive approach to the problem at the legislative and administrative levels and seek to enhance awareness of it. Lastly, she asked whether there was publicity in Denmark about sex trade centres in other parts of the world organized primarily for people coming from Europe.

10. Ms. TALLAWY said that it was commendable that the report included comments from non-governmental organizations, indicating a high level of cooperation and transparency. She asked whether that cooperation extended to the implementation of the national plan of action and whether non-governmental organizations had any specific responsibilities in that respect.

11. She asked what action would be taken to overcome the traditional male attitudes revealed in a number of studies carried out in Denmark; such attitudes were often the most difficult to combat, and precautionary measures might be needed to avoid a male backlash. Misinformation sometimes existed, even among people who were highly educated; information also needed to be provided to the younger generation.

12. At the Fourth World Conference on Women, the Danish Government had undertaken to devote 1 per cent of its budget to international cooperation especially to addressing poverty and women's issues in developing countries; she asked whether the Government had made a start on implementing that commitment.

13. Ms. ACAR said that, despite Denmark's impressive achievements in the area of legal equality between women and men, de facto equality was inadequate in many areas and did not measure up to the high standards set by the Government. For example, the situation in terms of wage differentials and the number of women holding decision-making positions, foreign service posts and high-level academic and research positions left much to be desired. She was concerned about the absence of special measures for immigrant and refugee women who suffered from violence, abuse or harassment. Although such women were legally entitled to benefit from the services provided by crisis centres, they were often prevented from doing so by difficulties such as lack of education and cultural or language barriers. She wondered whether any programmes or measures would be implemented to correct that situation.

14. The phenomenon of sex tourism had arisen in Denmark because no specific penalties had been established for trafficking in women, which was not considered a special crime. It was important to emphasize the moral

responsibility of all States, especially developing ones, not to overlook any practice that might lead to discrimination against women or to their mistreatment or sexual exploitation, regardless of the nationality of the women concerned. Women and children who emigrated from developing countries were particularly vulnerable to sexual abuse. In view of the Danish Government's sensitivity to women's concerns, she was hopeful that the issue would become the subject of public discussion and future measures by the State.

15. Ms. BUSTELO GARCÍA DEL REAL said that, among the many measures taken by the Danish Government to implement the Convention, she was particularly impressed by the law providing that aliens who suffered persecution by reason of gender could be granted refugee status. However, since no such cases had arisen as yet, it seemed necessary to spread awareness of the new legislation; she wondered whether the Government was planning to disseminate such information through consulates. With respect to the unit established in the Ministry of Foreign Affairs to deal with equality between the sexes in Denmark's international policies, particularly in its development cooperation and assistance programmes, she asked whether implementation of the Convention was considered one of the objectives of such development cooperation.

16. Since Denmark had made far less progress in the private sector than in the public sector, she hoped that the Government would implement policies to correct that situation and that Denmark's next periodic report would contain detailed information on the subject. She wondered which of Denmark's government ministries did not have equality committees, and why. She also asked which ministries were headed by women, and particularly whether the distribution of women ministers reflected segregation by sex of the different areas covered, as occurred in other countries. With respect to wage differentials, she wondered what trade unions were doing to remedy that situation and what attitude they displayed towards the issue of equal pay for work of equal value. She also asked for information on the attitude of the women's trade union in that regard.

17. In terms of the implementation of the Beijing Platform for Action, she asked whether Denmark had initiated measures to include non-remunerated work, by both women and men, in its national accounts. Since the figures provided on part-time employment reflected only women's participation, she asked for the corresponding figures for men's participation, and wondered whether it was increasing. In the area of reproductive health, she asked for information on the use of the RU-486 pill in Denmark. She also wanted details on the system for adopting children. She hoped that Denmark's next periodic report would contain information on the implementation of new measures in compliance with the Beijing Platform, especially in the areas of women's access to decision-making positions and to genuine equality in relation to employment, including the issues of equal pay, flexible working hours and the possibility of working at home.

18. Ms. LIN Shangzhen said that she appreciated Denmark's recognition, in paragraphs 6 and 37 of its report (CEDAW/C/DEN/3), that ratifying the Convention meant that attitudes in the public and private spheres must be changed and that the reconciliation of working life and family life should be given priority because maternity was a social function and men and women had a common responsibility for the upbringing of children. She asked for more information on how those principles had been addressed, since the report did not elaborate

fully on them. With respect to the possible abolition of quotas for women's participation in political life, she wondered how the Danish people in general, and women in particular, had reacted to that possibility, and whether such a backlash could become a trend in all the Nordic countries.

19. Ms. FERRER asked whether any specific consciousness-raising efforts on gender-related issues had been made among female political leaders, and whether women in positions of power identified with the problems, interests and needs of women in general throughout the country or tended to adopt traditionally male attitudes. She wondered whether women in the Government, as well as women leaders in the spheres of education and health, had used their influence to spread awareness of gender-related issues. She also asked whether there was any parliamentary commission specifically mandated to deal with such issues.

20. Ms. OUEDRAOGO recalled that the Danish delegation had mentioned that many marriages in Denmark were short-lived, and asked whether efforts were being made to prepare young people for marriage through discussions of the roles and responsibilities of spouses in the context of family life education. She asked for clarification of the indication that some government ministries did not have formal structures for dealing with issues of women's equality. With respect to prostitution, she asked whether any specific study had been undertaken to support the claim that most prostitutes in Denmark were foreigners, since it was possible that clandestine prostitution took place in Denmark. She was interested in Denmark's innovative parental leave policy, which represented a model for other countries, and asked for more information on its implementation, in view of the statement that men rarely took advantage of their right to parental leave.

21. Ms. AOUIJ said that, although the extent to which political power was shared between women and men in Denmark constituted a model for developing and developed countries alike, economic power was not shared to the same extent. Since economic globalization had heightened the importance of financial institutions, she asked how many women occupied decision-making posts in the relevant ministries and in banks and enterprises. Women's representation in the private sector was unlikely to improve simultaneously, judging by the country's experience in the public sector, where few women held senior decision-making posts; it would therefore be necessary to implement government policies to empower women in the economic sphere. Noting that the non-governmental organizations whose comments appeared in Denmark's report dealt with political issues, she asked whether any such organizations had been formed to deal with women's economic position. She regretted that there were no specific penalties for violence perpetrated against women by reason of their sex. She was pleased to note that the Government was taking measures to overcome men's reluctance to avail themselves of parental leave, and that it recognized the linkage between women's and men's new roles in the family and Denmark's economic development.

22. Ms. JAVATE DE DIOS commended the Government for its detailed report, which had been prepared in accordance with the Committee's guidelines, and for its exhaustive replies to the Committee's questions, which reflected the real progress achieved with regard to equality. She would be grateful for additional information on the inputs provided by non-governmental organizations and on how their efforts were coordinated with those of the Government. Further details should also be provided on the constitutional and legal guarantees of human

rights, equality and non-discrimination. She drew attention to the Government's contribution as a leader in human rights advocacy and education, and to the institutional mechanisms which reinforced women's equality, such as the Equal Status Council, temporary special measures, equality committees and equality advisers. At the same time, she agreed with Ms. Schöpp-Schilling that there was a need to empower the committees if they were to achieve their goals.

23. The Government should be more specific about the jurisprudence regarding women's rights. It would be useful to learn whether the policies to promote women in the judiciary were recognized in the courts and invoked in specific cases.

24. The Government deserved credit for its preventive approach to violence against women, which was based on public education and information. Nevertheless, it was difficult to understand why the number of women turning to crisis centres was increasing while research data indicated that violence, especially rape, and incest were decreasing; the Government should consider whether the research might be flawed. The initiative to provide victims of sexual abuse with free medical and psychological assistance was nonetheless commendable. Measures should be adopted to strengthen the education provided to girls and boys, the public at large, and strategic groups, such as judges, the police and politicians, on the issue of violence against women, and the assumption that violence was decreasing should be reviewed in a critical light.

25. With regard to article 5 of the Convention, the Government had shown commendable concern for the rights of migrant and immigrant women by ensuring that they were eligible for social assistance and health benefits and that they were treated equally. In that connection, the Government should consider whether immigrant women, who were economically dependent on their husbands, might be under-reporting instances of physical and sexual abuse.

26. The issue of trafficking in women and prostitution raised possible concerns. Organized criminal groups perpetrated such trafficking throughout Europe, and new technologies, such as the Internet, facilitated hidden forms of prostitution. The Government should examine that issue more carefully.

27. Lastly, two areas mentioned by the Danish representative raised special concerns. First, there was evidence that certain new reproductive technologies, such as in vitro fertilization and egg donation, were very invasive and detrimental to women's health. It was unclear how those procedures could empower women and what the impact would be if large numbers of women availed themselves of the new technologies.

28. Secondly, the rate of partnerships outside marriage was very high. The Government should indicate whether any study had been made of the impact of such partnerships on the economic and social status of women.

29. The Government was still facing serious obstacles in its drive to empower women. Inequality persisted in the political arena, in management, in key decision-making bodies and in private attitudes. Women were still primarily responsible for child care; only 8.6 per cent of fathers availed themselves of parental leave. The Danish experience, which was a model for many countries, showed that the path to women's empowerment was uneven.

30. Ms. SHÖPP-SCHILLING said that, despite the reporting State's remarkable achievements with regard to educating women and girls, it was necessary to avoid the mistake of believing that education could solve all problems. In developed countries, where education was regarded as the key to success, there were more girls and women than boys and men at certain levels of schooling, yet a higher number of women were unemployed. It was necessary to consider whether women were receiving the training which they would need in order to obtain jobs in the twenty-first century. In its next report, the Government should provide further details on its efforts in that regard.

31. With regard to the statement in paragraph 73 of the report that boys and girls had different interests, there had been a great deal of discussion in recent years about whether girls did better academically if they were educated separately from boys starting in early adolescence. The Government should indicate whether it had considered any practical experiments along those lines.

32. She noted with satisfaction that the teaching of women's studies now consisted of credit-bearing courses leading to an academic degree. Women had a right to their own past, and women's studies challenged male-dominated theories in the social sciences. In that context, the secondary school course on gender and culture should be compulsory rather than elective. With regard to the number of women in academic posts, it would be interesting to learn whether the Government had considered affirmative action measures, such as earmarking a percentage of research scholarships for women, including older women returning to the academic world; such programmes had been implemented successfully in her country, Germany.

33. The low number of women in decision-making posts in the private sector was worrisome. In that connection, the Government of Belgium had achieved success in inducing the private sector to adopt voluntary affirmative action plans. In its next report, the Government should provide further details on its efforts in that regard.

34. The role of trade unions in ensuring equal pay for work of equal value needed clarification. It would be useful to have a fuller account of the results of the Nordic Equal Pay Project.

35. The reporting State should be more specific about the situation of disabled women, particularly in the areas of education, employment and affirmative action.

36. Lastly, it was difficult to understand why no action had been taken with regard to the three ministries which had failed to establish equality committees. The Government should muster the political will to ensure that all public sector entities adhered to the national action plan.

37. The CHAIRPERSON said that the Committee appreciated the Danish Government's commitment to women's rights. Denmark had initiated measures to promote gender equality in the public and private spheres long before the Convention had entered into force. She noted with satisfaction that a majority of members of the Danish Parliament supported women's reproductive rights and that, as a follow-up to the Fourth World Conference on Women, the Government had established committees to introduce gender equality in various fields. At the

same time, members of the Committee had expressed concern about the problems persisting in certain traditional areas, such as the absence of specific legislation prohibiting violence against women, the commercial sexual exploitation of children, prostitution, the low number of women in top management positions in the private sector, and sex stereotyping. It was to be hoped that, by the time of its next report, the Government would be able to provide specific information on affirmative action measures adopted to address those and other issues.

38. Ms. GALAMBA (Denmark), replying to the questions raised, thanked the members of the Committee for their valuable input. A backlash against affirmative action was indeed occurring in her country, although its causes were difficult to pinpoint; in particular, many young people of both sexes were opposed to affirmative action, believing that equality between women and men already existed. The issue required further examination.

39. The absence of specific legislation prohibiting violence was due to the traditional view that violence was the same whether it was the traditional view that violence was the same whether it was directed against women or men; the matter would, however, be reviewed by the Equal Status Council.

40. The ministries which had not established equality committees were the Ministries of Finance, Economic Affairs and Justice. Nevertheless, the Minister for Economic Affairs was a woman, and women had risen in the ranks of the Ministry of Justice even without such a committee.

41. The CHAIRPERSON said that the Committee had concluded its consideration of the third periodic report of Denmark.

The meeting rose at 4.55 p.m.